

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8396 of 2025

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1. Govind Kumar, Son of Mohan Prasad Resident of Village-Motihari Sonapatti, P.S.-Motihari District-East Champaran, Motihari.
 2. Prity Sarraf, Wife of Sri Govind Kumar Resident of Village-Motihari Sonarpatti, P.S.-Motihari, District-East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reform Department Government of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Additional Collector (Ceiling) East Champaran, Motihari.
5. The District Sub Registrar, District Sub Registry Office, East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate.
For the Respondent/s : Dr. Md. Raisul Haque, SC 10.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

5 09-12-2025 Office objection is overruled.

2. Heard learned counsel for the parties.

3. The present Writ Petition has been filed for the following reliefs:-

“(i) For issuance of direction to the respondents authorities to remove the lands of the petitioners i.e. "Khata No.109, Plot No.38, Khata No. 76, Plot No. 23, Khata No. 67, Plot No. 6 & 14, Khata No. 106, Plot No. 13, Khata No. 15, Plot No. 3, Khata No. 31, Plot No. 4,



Khata No. 32 Plot No. 9, Khata No. 38, Plot No. 11, situated at Bairiya, East Champaran Motihari from the restricted list of registration of documents, which was separated from the ceiling proceeding vide order dated 28.06.1999 passed by the Additional Collector (Ceiling) East Champaran. Motihari, in Ceiling Proceeding No. 03/1983-84, especially under the circumstances, when the Hon'ble Division Bench vide Order dated 27.10.2016 in Civil Review No. 410 of 2016 has already clarified that the restriction on sale is no longer existing and the state filed SLP bearing S.L.P. (Civil) No. 4160 of 2017, which was dismissed vide Order dated 23.02.2017 and one Review application bearing R.P (C) No. 31140/2017 was filed and same was also dismissed vide order dated 31.10.2017 by Hon'ble Supreme Court.

(ii) For issuance of direction to the respondent authorities to accept and register the documents presented by the petitioner for sale and other transaction of "Khata No.109, Plot No.38, Khata No. 76, Plot No. 23, Khata No. 67, Plot No. 6 & 14, Khata No. 106, Plot No. 13, Khata No. 15, Plot No. 3, Khata No. 31, Plot No. 4, Khata No. 32 Plot No. 9, Khata No. 38, Plot No. 11 situated at Bairiya, East Champaran Motihari in the light of the fact that other similarly situated person namely M/S Ramacast Limited has been permitted by this Hon'ble court vide judgment dated 27.10.2016 in Civil Review No. 410/16, as well as vide judgment dated 26.09.2019 passed in CWJC No. 15326/2019."



4. In the counter-affidavit filed by the Respondent Nos. 5, it is stated that the Committee headed by the Additional Collector (Ceiling), East Champaran, Motihari has taken a decision to remove the restrictions imposed by the authorities in respect of the subject plot of the petitioners i.e. 'Khata No.109, Plot No.38, Khata No. 76, Plot No. 23, 'Khata No. 67, Plot No. 6 & 14, Khata No. 106, Plot No. 13, Khata No. 15, Plot No. 3, Khata No. 31, Plot No. 4, Khata No. 32, Plot No. 9, Khata No. 38, Plot No. 11' situated at Bairiya, East Champaran Motihari and further the authorities have also addressed a letter to the petitioners vide Letter No. 3700 dated 19.08.2025 Annexure-B asking them to present the documents for the purpose of registration.

5. Having regard to the same, the present writ petition is disposed of directing the authorities to register the documents presented by the petitioners in respect of the subject matter of the present writ petition i.e. 'Khata No.109, Plot No.38, Khata No. 76, Plot No. 23, Khata No. 67, Plot No. 6 & 14, Khata No. 106, Plot No. 13, Khata No. 15, Plot No. 3, Khata No. 31, Plot No. 4, Khata No. 32, Plot No. 9, Khata No. 38, Plot No. 11' situated at Bairiya, East Champaran, Motihari.

6. With the above directions, the present Writ Petition



stands disposed of.

(A. Abhishek Reddy, J)

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